

**INLAND AND WETLANDS COMMISSION  
REGULAR MEETING  
JUNE 4, 2014**

Mary Davis called this meeting to order at 6:10 PM with the following in attendance:

**MEMBERS:**

Mary Davis, Chair  
Sally MacKenzie, Secretary  
Marcia Puc  
Tracy DeBarber  
Mark Bakstis  
Lars Johnson, Alternate, Absent

**OTHER:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, Secretary  
Public - 0

1. Mary Davis called this meeting to order at 6:00 P.M. She noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney.  
There was no executive session.
3. Public comment.  
There was no public comment.

4. **OLD BUSINESS**

A. Long Meadow Pond Brook ERT Study

Mary said this item is postponed temporarily due to lack of staffing. They will keep this on the agenda.

B. Commission discussion/decision regarding an existing Commercial Outdoor Automobile Storage (IW#14-01) located at the Risdon Property, Arch Street, Scott Road, Andrew Avenue and Rubber Avenue; Applicant: A Better Way Wholesale Auto

Mary said Attorney McSherry could not be at the meeting but he gave them a letter. The letter said that he had received the report from Roman at Southwest Conservation on behalf of his clients, A Better Way. He said his client ordered the booms to be installed along the North and Southwest sides of the property and storm water inserts for soil and grit. It is anticipated that these will be installed June 9<sup>th</sup> and 10<sup>th</sup>. Mary said he also stated other things that they are going to do based on Southwest's recommendations which are:

1. a temporary sedimentation basin
2. a subsurface drain

A discussion ensued about installing the booms. Wayne said that he and Sue can go out and check on their progress after June 9<sup>th</sup> or 10<sup>th</sup>. Sue said that last week after an inspection, there were cars parked in the 100' Upland Review Area. An inspection of the area today

determined that the cars had been moved. Sally said that's why the booms need to be installed, so they can't park cars there. Mary said that Attorney McSherry said they would like to get started working on it, but they don't have any plans for it. Wayne said they should have a plan with the measures that they have installed or are planning to install. Mary asked Wayne to work with them before any more work is done. There was no further discussion. This will stay on the agenda for a special meeting in the next week or two.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding IW #14-02 for demolition of existing buildings and construction of a 4500 sq. ft. retail building and gas pumps located at 42-46 Prospect Street; Applicant: Remzi and Vesel Nasufi

Attorney Michael McVerry, office at 35 Porter Avenue, said he was there representing the applicants, Remzi and Vesel Nasufi. He said this is an application with Zoning for a special permit to remove the two existing structures and construct a 4500 sq ft building and 5 gas pumps. The building will house a convenience store and a donut shop with a drive-thru window. He said there are no wetlands on site. The closest wetland is Fulling Mill Brook which is approximately 130 feet across Prospect Street. He said the drainage which is on site will continue to drain into the Prospect Street drain. The property is in a B-2 zone and consists of approximately .81 acres. He said they are seeking administrative approval. He said they did receive comments from Wayne Zirolli, Borough Engineer, which can be addressed by his client's engineer in revised plans. Brian Ford, with Pustola Associates, said before they came down he pulled up an aerial photo of the property and showed them that the brook is over 100' away. Mary asked what is on the property now. Attorney McVerry said a multi-family house and the building that houses Vinnie's Pizza. Mary voiced concerns over having gas pumps there. Attorney McVerry said any storage pumps have to be installed per DEEP regulations. Mary said they weren't really concerned with the building, but with the gas pumps and the storage of gas. Brian showed them the location they are proposing for the storage tanks. There was a discussion over the drainage pattern. Brian said they will work with Wayne along with the State Storm Water Quality Guidelines. Brian explained what a hooded catch basin is. Wayne said that will all be detailed on the engineer's part in the storm water plan which he hasn't received yet. He said once he gets that he will review it. He said any measures to trap gas or spills need to be spelled out in it. As far as material, they plan on taking it out, not bringing it in. The commission set a site walk for Wednesday June 11, 2014 at 6:00 P.M. The commission decided not to make a decision on significant activity until after their site walk. It was noted that the next meeting is July 2, 2014.

- B. Commission discussion/decision regarding IW #14-03 for re-grading of parking lot within the 100' Upland Review Area at 4 Arch Street; Applicant: Hector Irizarry

Hector Irizarry, of 105 Union City Road, explained that his building at 4 Arch Street floods. He would like to re-grade his parking lot to prevent this. He does contact Public Works to clean out the drain before storms which also helps. Mary said it is a little difficult to see from the drawings. Mary clarified that he wants to dig a trench and have the water run into the brook. Mr. Irizarry said yes. There was a discussion on what can be done to prevent the sand from going into the brook. The commission set a site walk for June 11, 2014 at 6:30 P.M. It was determined that the storm drain goes right into the brook.

- C. Commission discussion/decision regarding IW #14-04 for proposed sewer connection within the 100' Upland Review Area on Lot W-12 and Lot W-13 on Rubber Avenue; Applicant: The Views at Long Meadow Brook

Mary asked if fees were paid on this. Sue said yes and that she would make copies for the commission. Mary also asked why there is only one page to the map. Roger Spinelli, 90 Soundview Avenue, Shelton, said he represent the Views at Long Meadow Brook, LLC. He said he wasn't sure what type of page they were looking for. Mary asked if the lots were approved and how long ago they were approved. Roger said they are pre-existing non-conforming building lots. Mary asked why the sewer line wasn't approved at the same time. Roger explained that the previous owners were going to develop condos on the Salinardi property and the sewer line was going to come up from Rubber Avenue, but that didn't happen. The approval went into an appeal and it was never approved. He said the closest place to tie into the sewer line is in the rear of the property. He said they are legal lots. Wayne said the lots have been on the books as Mr. Spinelli said. He said they have been in existence for a long time. Mary said they need more information. Wayne said he will check with the assessor. He said Mr. Spinelli would have to come in with site plans to be approved for each lot. He said he would have to check it over for engineering. Mary said it is important for them to know how long ago it was an approved lot. Sally asked where the sewer line runs. Wayne showed the commission where the sewer line goes on the map. Mary read Section 4.1.2 from the Wetlands Regulations. There was a discussion over approved building lots. Wayne said Steve could provide a letter of zoning compliance. There was a discussion over the variance that was granted. Mr. Spinelli will get proof that the lots are approved building lots. This will be continued to next month's meeting.

- D. Commission discussion/decision regarding IW #14-05 for a Community Garden at 120 Cross Street; Applicant: Borough of Naugatuck

Alex Olbrys, 608 Maple Hill Road, said he was there representing the Borough of Naugatuck. He showed the commission the map of the property and the proposed parking and the path to enter the garden through the Borough's open space. He said there would be a combination lock for the gardeners to enter. The nearest wetland is 450' away. The hours for the garden will be set by the Board of Education. Sue noted that the DEEP fees were paid and the Mayor waived the application fee. Mary said she doesn't see any wetlands issues with this application. There was no further discussion.

**VOTED:** Unanimously on a motion by Tracy DeBarber and seconded by Sally MacKenzie to **APPROVE** IW #14-05 for the Borough of Naugatuck's proposed Community Garden that it is not a significant activity.

- E. Additional items require a 2/3 vote of the Commission.  
There were no additional items.

6. **CORRESPONDENCE**  
There was no correspondence.

7. **WEO REPORT**

A. Autohaus Property, 393 Rubber Avenue (IW #08-08)

Sue said she and Wayne went out and took pictures, which were shown to the commission. Sue said Autohaus dropped a letter off at the Land Use Office today saying that they removed some of the cars. There is still one trailer on the property right next to the brook. Sue is meeting Friday with Bill Herzman, the Building Inspector and Borough Attorney Fitzpatrick to discuss and give files to Attorney Fitzpatrick. He will be handling the case. Sue will keep Mary posted on the progress.

B. Dmuchowski Property, 45 High Street

Sue and Wayne went out to take pictures of the drain today. Wayne said the condition looks pretty good and it appears as though a neighbor has been clearing the grate. Wayne said they will contact the bank to get them to do more work to deepen the channel and change the grate.

C. Naugatuck HS Renovation (IW#12-04)

Wayne said he will check on the water quality testing. He will resume inspections next week.

D. 1177 New Haven Road (IW#12-01)

Sue said she and Wayne did a site inspection and the property looks good. The site is stabilized and the bank mulched. The silt fence needs some repair in a couple of spots. The parking lot base is down and ready to be paved and the guard rail materials are on site. Wayne said the erosion and sediment controls should be maintained until the construction is complete. This will stay on the agenda.

E. Pondview Estates (IW#05-09)

Sue said Mr. Pereira is in the process of filling in behind the sidewalks and getting ready to seed. The silt fence needs to be fixed in a couple of spots. Antonio Pereira, 52 Salem Road, Prospect, said the plan is to finish in the next week or two. The silt fence will stay up until the grass is grown in and it is stabilized.

F. DaSilva Property, 0 Edward Street, Naugatuck, CT

Sue said the plants are in and the bank is stabilized. Mary said this can come off the agenda.

- G. Mary said they have a Notice of Violation that was sent out. They also have a letter from Michael and Lynne Milazzo. Michael Milazzo, 7 Margaret Circle, said they didn't realize they needed a permit to clear the property. It was overgrown and things were being dumped on that part of their property. Mary said it is a big responsibility having a wetland on your property. He said they know that now. He said they removed two dead trees and left the mature trees. They cleared out the scrub and poison ivy trying to improve the property. He said he didn't think they impacted the brook at all. Mary asked where the trees were. Sue showed them pictures of the stumps. Mrs. Milazzo said they didn't disturb the bank at all. Mary said any work within 100' of wetlands needs to come before the wetlands commission. The commission wants to control how the work is done so the wetlands are not disturbed.

8. **Review/Approval** of May 7, 2014 Regular Meeting Minutes.

**VOTED:** Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE** the May 7, 2014 Regular Meeting Minutes as written.

9. **ADMINISTRATIVE BUSINESS**

There was none.

10. **ADJOURNMENT**

**VOTED:** Unanimously on a motion by Sally MacKenzie and seconded by Tracy DeBarber to **ADJOURN** the meeting at 8:00 P.M.

Respectfully Submitted,  
Sally MacKenzie, Secretary /sg